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MARK DILLON, TERESA NOA, MELVIN PONCE,  
SONIA PURDY, JUSTIN FUKUMOTO,  
ALFREDDA WAIOLAMA, and JACQUELINE RIO

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

WAYNE BERRY, a Hawaii citizen, ) CIVIL NO. CV03-00385 SOM-LEK  
                                  ) (Copyright)  
Plaintiff,                    )  
                                  ) DEFENDANTS MARK DILLON, TERESA  
v.                             ) NOA, MELVIN PONCE, SONIA  
                                  ) PURDY, JUSTIN FUKUMOTO,  
HAWAIIAN EXPRESS SERVICE,   ) ALFREDDA WAIOLAMA, AND  
INC., a California          ) JACQUELINE RIO'S JOINDER TO  
corporation; et al.        ) TRIAL BRIEF OF THE POST  
                                  ) CONFIRMATION TRUST FOR FLEMING  
Defendants.                ) COMPANIES, INC., FILED ON  
                                  ) JANUARY 10, 2006  
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                                  ) TRIAL:      January 24, 2006  
                                  ) JUDGE:      Hon. Susan Oki  
                                  ) Mollway  
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DEFENDANTS MARK DILLON, TERESA NOA, MELVIN PONCE, SONIA PURDY,  
JUSTIN FUKUMOTO, ALFREDDA WAIOLAMA, AND JACQUELINE RIO'S  
JOINDER TO TRIAL BRIEF OF THE POST CONFIRMATION TRUST FOR FLEMING  
COMPANIES, INC., FILED ON JANUARY 10, 2006

Defendants Mark Dillon, Teresa Noa, Melvin Ponce, Sonia Purdy, Justin Fukumoto, Alfredda Waiolama, and Jacqueline Rio, ("Defendant Employees") by and through their attorneys, Lyle S. Hosoda & Associates, LLC, hereby file their joinder to the Trial Brief of the Post Confirmation Trust for Fleming Companies, Inc., filed on January 10, 2006.

Dated: Honolulu, Hawaii, January 10, 2006.

/s/ Lyle S. Hosoda  
LYLE S. HOSODA  
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FUKUMOTO, ALFREDDA WAIOLAMA, and  
JACQUELINE RIO